

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (currently amended) An isolated nucleic acid comprising a polynucleotide encoding a chitinase polypeptide, wherein the chitinase polypeptide is at least 95% 91% identical to SEQ ID NO:12.
2. (original) The nucleic acid of claim 1, wherein the chitinase polypeptide exhibits a chitinase activity of at least 20% of the chitinase activity of maize chitinase A (SEQ ID NO:1).
3. (original) The nucleic acid of claim 1, wherein the chitinase polypeptide exhibits a chitinase activity of at least 200% of the chitinase activity of maize chitinase A (SEQ ID NO:1).
- 4.-6. (cancelled)
7. (previously amended) An isolated nucleic acid comprising a polynucleotide encoding a chitinase polypeptide, wherein the chitinase polypeptide is SEQ ID NO:12.
8. (original) The nucleic acid of claim 7, wherein the chitinase polypeptide exhibits a chitinase activity at least 20% of the chitinase activity of maize chitinase A (SEQ ID NO:1).
9. (original) The nucleic acid of claim 7, wherein the chitinase polypeptide exhibits a chitinase activity at least 200% of the chitinase activity of maize chitinase A (SEQ ID NO:1).
10. (previously amended) An isolated nucleic acid comprising a polynucleotide encoding a chitinase polypeptide, wherein the polynucleotide is SEQ ID NO:11.
11. (original) The nucleic acid of claim 10, wherein the chitinase polypeptide exhibits a chitinase activity of at least 20% of the chitinase activity of maize chitinase A (SEQ ID NO:1).

12. (original) The nucleic acid of claim 10, wherein the chitinase polypeptide exhibits a chitinase activity of at least 200% of the chitinase activity of maize chitinase A (SEQ ID NO:1).

13. (original) A vector comprising the nucleic acid of claim 10.

14.-26. (cancelled)

27. (previously amended) A plant comprising a recombinant expression cassette comprising a promoter operably linked to a polynucleotide encoding a chitinase polypeptide having chitinase activity, wherein the polypeptide is SEQ ID NO:12.

28. (original) The plant of claim 27, wherein the chitinase polypeptide exhibits a chitinase activity of at least 20% of the chitinase activity of maize chitinase A (SEQ ID NO:1).

29. (original) The plant of claim 27, wherein the chitinase polypeptide exhibits a chitinase activity of at least 200% of the chitinase activity of maize chitinase A (SEQ ID NO:1).

30. (original) The plant of claim 27, wherein the plant is maize.

31. (currently amended) A plant comprising a recombinant expression cassette comprising a promoter operably linked to a polynucleotide encoding a chitinase polypeptide having chitinase activity, wherein the polypeptide is at least 95% 91% identical to SEQ ID NO:12.

32. (original) The plant of claim 31, wherein the chitinase polypeptide exhibits a chitinase activity of at least 20% of the chitinase activity of chitinase A (SEQ ID NO:1).

33. (original) The plant of claim 31, wherein the chitinase polypeptide exhibits a chitinase activity of at least 200% of the chitinase activity of chitinase A (SEQ ID NO:1).

34. (original) The plant of claim 31, wherein the plant is maize.

35.-37. (cancelled)

38. (previously amended) A method of enhancing plant resistance to a fungus, the method comprising,

- a) introducing into a plant a recombinant expression cassette comprising a promoter operably linked to a polynucleotide encoding a chitinase polypeptide having chitinase activity, wherein the polypeptide is SEQ ID NO:12; and
- b) selecting a plant with enhanced resistance to a fungus.

39. (original) The method of claim 38, wherein the plant is maize.

40. (original) The method of claim 38, wherein the fungus is from the genus *Fusarium*.

41. (currently amended) A method of enhancing plant resistance to a fungus, the method comprising,

- a) introducing into a plant a recombinant expression cassette comprising a promoter operably linked to a polynucleotide encoding a chitinase polypeptide having chitinase activity, wherein the polypeptide is at least 95% 91% identical to SEQ ID NO:12; and
- b) selecting a plant with enhanced resistance for a fungus.

42. (original) The method of claim 41, wherein the plant is maize.

43. (original) The method of claim 41, wherein the fungus is from the genus *Fusarium*.

44.-46. (cancelled)

47. (previously amended) A method of enhancing plant resistance to a nematode, the method comprising,

- a) introducing into a plant a recombinant expression cassette comprising a promoter operably linked to a polynucleotide encoding a chitinase polypeptide having chitinase activity, wherein the polypeptide is SEQ ID NO:12; and
- b) selecting a plant with enhanced resistance to a nematode.

48. (original) The method of claim 47, wherein the plant is soybean.

49. (original) The method of claim 47, wherein the nematode is from the genus *Heterodera*.

50. (currently amended) A method of enhancing plant resistance to a nematode, the method comprising,

a) introducing into a plant a recombinant expression cassette comprising a promoter operably linked to a polynucleotide encoding a chitinase polypeptide having chitinase activity, wherein the polypeptide is at least 95% 91% identical to SEQ ID NO:12; and

b) selecting a plant with enhanced resistance for a nematode.

51. (original) The method of claim 50, wherein the plant is soybean.

52. (original) The method of claim 50, wherein the nematode is from the genus *Heterodera*.

53.-55. (cancelled)